

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Lonnie R. Ohler
Karen W. Ohler
Debtor(s)

Bankruptcy Case No.: 16-10054-TPA
Per September 4, 2018 Proceeding
Chapter: 13
Docket No.: 75 – 67, 69
Concil. Conf.: December 4, 2018 at 02:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 31, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Dec. 4, 2018 at 02:30 PM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: 1) Northwest Bank in Part 3.2 of Plan to be paid monthly in amount determine by Trustee to pay the Claim in full during Plan term.
2) The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified Plan interest in monthly amount to be determined by Trustee to pay in full: Americredit (Claim No. 1).
3) Debtors' Counsel to obtain proof of assignment of servicing/ownership of Citifinancial (Claim No. 3) mortgage or Order of Court specifying proper mortgage payee in next 60 days. Citifinancial (Claim No. 3) as reserve in interim.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: September 11, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Lonnie R. Ohler
 Karen W. Ohler
 Debtors

Case No. 16-10054-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

Page 1 of 2
 Total Noticed: 34

Date Rcvd: Sep 11, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 13, 2018.

db/jdb
 14166615 ++Lonnie R. Ohler, Karen W. Ohler, 662 Jackson Center Polk Road, Stoneboro, PA 16153-3112
 ++ALLIED ADJUSTORS INC, PO BOX 1006, ALIQUIPPA PA 15001-0806
 (address filed with court: Allied Adjustors, 845 23rd St, Aliquippa, PA 15001)
 14179581 ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: Americredit Financial Services Inc., Po Box 183853,
 Arlington, TX 76096)
 14192891 ++Allied Adjustors, Inc., PO BOX 1006, Aliquippa, PA 15001-0806
 14174988 ++AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853
 14166616 Beneficial, P.O. Box 8873, Virginia Beach, VA 23450-8873
 14166617 ++Beneficial/HFC, P.O. Box 1547, Chesapeake, VA 23327-1547
 14166619 ++CITIFINANCIAL, BANKRUPTCY FORECLOSURE UNIT, 1000 TECHNOLOGY DRIVE, OFALLON MO 63368-2239
 (address filed with court: Citifinancial, 300 Saint Paul Pl, Baltimore, MD 21202)
 14166618 ++Cingular Wireless, 5720 PeachTree RD Suite 300, Norcross, GA 30092-2813
 14217330 CitiFinancial Servicing LLC, P.O. Box 6043, Sioux Falls, SD 57117-6043
 14166622 ++Dish Network, 404 Brock Drive, PO Box 3097, Bloomington, IL 61702-3097
 14166623 ++Diversified, PO Box 200, Greensburg, PA 15601-0200
 14166624 ++Diversified Collection, Post Office Box 200, Greensburg, PA 15601-0200
 14166629 ++Ferrellgas - 300043, P.O. Box 517, Liberty, MO 64069-0517
 14179596 ++Filer Plumbing, 620 East Main Street Extension, Grove City, PA 16127-6344
 14166631 ++Gm Financial, Po Box 181145, Arlington, TX 76096-1145
 14166632 ++Grove City Medical Center, 631 N. Broad Street Ext., Grove City, PA 16127-4603
 14166634 ++Internal Revenue Service, Attn: Bankruptcy Unit, Box 955 Stop 335D,
 Atlanta, GA 30301-0955
 14166636 Meritain Health, P.O. Box 9501, Amherst, NY 14226-9501
 14166639 ++Oxford Collection Services, 135 Maxess Road, Melville, NY 11747-3801
 14166640 Oxford Managment Services, PO Box 18060, Hauppauge, NY 11788-8860
 14166641 Physicians in Radiology, 7 Acee Drive, Natrona Heights, PA 15065-9700
 14236044 ++Upmc Community Medicine, 6681 Country Club Drive, Golden Valley MN 55427-4601
 14166626 eCAST Settlement Corp., Post Office Box 35480, Newark, NJ 07193-5480

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14166614 ++E-mail/Text: EBNProcessing@afni.com Sep 12 2018 02:06:18 AFNI Inc., 404 Brock Drive,
 P.O. Box 3517, Bloomington, IL 61702-3517
 14166620 ++E-mail/Text: abovay@creditmanagementcompany.com Sep 12 2018 02:06:26 Credit Management Co,
 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
 14166621 ++E-mail/Text: abovay@creditmanagementcompany.com Sep 12 2018 02:06:26 Credit Management Co.,
 2121 Noblestown Road, Attn: Leo Kane, Pittsburgh, PA 15205-3956
 14166625 ++E-mail/PDF: resurgentbknofications@resurgent.com Sep 12 2018 02:15:52 East Bay Funding,
 c/o Resurgent Capital Services, PO Box 288, Greenville, SC 29602-0288
 14235168 ++E-mail/PDF: resurgentbknofications@resurgent.com Sep 12 2018 02:15:38
 East Bay Funding, LLC its successors and assigns, as assignee of Roundup Funding L.L.C.,
 Resurgent Capital Services, PO Box 288, Greenville, SC 29602-0288
 14166627 ++E-mail/Text: bankruptcy@erieinsurance.com Sep 12 2018 02:06:39 Erie Insurance,
 Collection Department, 100 Erie Insurance Place, Erie, PA 16530-0001
 14166628 ++E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Sep 12 2018 02:05:48 Fashion Bug/Soanb,
 1103 Allen Dr, Milford, OH 45150-8763
 14166630 ++E-mail/PDF: gecredi@recoverycorp.com Sep 12 2018 02:16:02 Gecrb/Walmart, Po Box 965024,
 Orlando, FL 32896-5024
 14166635 E-mail/Text: cio.bncmail@irs.gov Sep 12 2018 02:05:42 Internal Revenue Service,
 Office of District Counsel, 1000 Liberty Center Suite 601-C, Pittsburgh, PA 15222
 14166643 E-mail/PDF: resurgentbknofications@resurgent.com Sep 12 2018 02:15:39
 Roundup Funding, LLC, MS 550, P.O. Box 91121, Seattle, WA 98111-9221

TOTAL: 10

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
 14179579* Wilmington Savings Fund Society, FSB, as trustee o
 14179580* ++AFNI Inc., 404 Brock Drive, P.O. Box 3517, Bloomington, IL 61702-3517
 ++ALLIED ADJUSTORS INC, PO BOX 1006, ALIQUIPPA PA 15001-0806
 (address filed with court: Allied Adjustors, 845 23rd St, Aliquippa, PA 15001)
 14179582* Beneficial, P.O. Box 8873, Virginia Beach, VA 23450-8873
 14179583* ++Beneficial/HFC, P.O. Box 1547, Chesapeake, VA 23327-1547
 14179585* ++CITIFINANCIAL, BANKRUPTCY FORECLOSURE UNIT, 1000 TECHNOLOGY DRIVE, OFALLON MO 63368-2239
 (address filed with court: Citifinancial, 300 Saint Paul Pl, Baltimore, MD 21202)
 14179584* ++Cingular Wireless, 5720 PeachTree RD Suite 300, Norcross, GA 30092-2813
 14179586* ++Credit Management Co, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
 14179587* ++Credit Management Co., 2121 Noblestown Road, Attn: Leo Kane, Pittsburgh, PA 15205-3956
 14179588* ++Dish Network, 404 Brock Drive, PO Box 3097, Bloomington, IL 61702-3097
 14179589* ++Diversified, PO Box 200, Greensburg, PA 15601-0200
 14179590* ++Diversified Collection, Post Office Box 200, Greensburg, PA 15601-0200
 14179591* ++East Bay Funding, c/o Resurgent Capital Services, PO Box 288, Greenville, SC 29602-0288
 14179593* ++Erie Insurance, Collection Department, 100 Erie Insurance Place, Erie, PA 16530-0001
 14179594* ++Fashion Bug/Soanb, 1103 Allen Dr, Milford, OH 45150-8763

District/off: 0315-1

User: vson
Form ID: 149

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Total Noticed: 34

Date Rcvd: Sep 11, 2018

***** BYPASSED RECIPIENTS (continued) *****
14179595* +Ferrellgas - 300043, P.O. Box 517, Liberty, MO 64069-0517
14179597* +Gecrb/Walmart, Po Box 965024, Orlando, FL 32896-5024
14179598* +Gm Financial, Po Box 181145, Arlington, TX 76096-1145
14179600* +Grove City Medical Center, 631 N Broad St Ext, Grove City, PA 16127-4603
14179599* +Grove City Medical Center, 631 N. Broad Street Ext., Grove City, PA 16127-4603
14179603* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, Office of District Counsel,
1000 Liberty Center Suite 601-C, Pittsburgh, PA 15222)
14166633* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, P.O. Box 21125,
Philadelphia, PA 19114)
14179601* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, P.O. Box 21125,
Philadelphia, PA 19114)
14179602* +Internal Revenue Service, Attn: Bankruptcy Unit, Box 955 Stop 335D,
Atlanta, GA 30301-0955
14179604* Meritain Health, P.O. Box 9501, Amherst, NY 14226-9501
14179605* +Northwest Cons Disc Co, PO Box 1178, Hermitage, PA 16148-0178
14179606* +Northwest Consumer Discount Company, 395 North Hermitage Road, P.O. Box 1178,
Hermitage, PA 16148-0178
14179607* +Oxford Collection Services, 135 Maxess Road, Melville, NY 11747-3801
14179608* Oxford Management Services, PO Box 18060, Hauppauge, NY 11788-8860
14179609* Physicians in Radiology, 7 Acee Drive, Natrona Heights, PA 15065-9700
14179610* RMS, 55 Shuman Road, P.O. Box 3099, Naperville, IL 60566-7099
14179611* Roundup Funding, LLC, MS 550, P.O. Box 91121, Seattle, WA 98111-9221
14179592* eCAST Settlement Corp., Post Office Box 35480, Newark, NJ 07193-5480
14166637 ###Northwest Cons Disc Co, PO Box 1178, Hermitage, PA 16148-0178
14166638 ###Northwest Consumer Discount Company, 395 North Hermitage Road, P.O. Box 1178,
Hermitage, PA 16148-0178
14166642 ##RMS, 55 Shuman Road, P.O. Box 3099, Naperville, IL 60566-7099

TOTALS: 1, * 32, ## 3

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 13, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on September 11, 2018 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, as trustee of
Stanwich Mortgage Loan Trust A bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Debtor Lonnie R. Ohler ecf@mcclrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Paul W. McElrath, Jr. on behalf of Joint Debtor Karen W. Ohler ecf@mcclrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5